

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

ELAINE M. COLEY, )  
                        )  
Plaintiff,           )  
                        )  
v.                     ) CIVIL ACTION NO. 2:06cv378-WKW  
                        )  
ALABAMA MEDICAID AGENCY, )  
                        )  
Defendant.           )

**ORDER**

Now pending before the court is the July 25, 2006, motion to set aside order of dismissal (doc. # 9) filed by the plaintiff. On July 24, 2006, the court entered an order withdrawing the Report and Recommendation which recommended dismissal of this matter. (Doc. # 7). Accordingly, upon consideration of the motion, it is

ORDERED that the motion be and is hereby DENIED as moot.

Done this 26<sup>th</sup> day of July, 2006.

/s/Charles S. Coody  
CHARLES S. COODY  
CHIEF UNITED STATES MAGISTRATE JUDGE